

REMARKS

Claims 6 - 8 have been rejected under 35 U.S.C. 112 first paragraph. The Applicant believes that a number of the rejected claims are in fact expressly supported by the written description. For example, the Examiner is respectfully requested to review FIG. 3 and the associated description that starts on page 7 first full paragraph through page 8 line 14. In particular,

*"FIG. 3 is a high level flow chart of a method used in the preferred embodiment of the invention. A broadcast button 19 (FIG. 1) is selected on a unit (step 302). The base station 11 and the portable units 12, 14, 16 may have broadcast buttons 19, that allow either the base station 11 or one of the portable units 12, 14, 16 to broadcast. The broadcast button 19 may be a button dedicated only to broadcasting or one or more general purpose buttons, which may be pushed in a special sequence for broadcasting. The base station 11 is notified of the selection of the broadcast button 19 (step 304). If the broadcast button 19 on the base station 11 is selected, then the selection of the broadcast button 19 is noted by the base station 11. If the broadcast button 19 on one of the portable units 12, 14, 16 is selected, a broadcast command may be placed in the T-field 36 of a message sent to the base station 11. The base station is then notified of the selection of the broadcast button 19. In this example, the broadcast button 19 for the first portable unit 12 is selected, where the first portable unit uses slots 1 and 13. The base station 11 receives a message during slot 13 with a broadcast command in the T-field 36, which the base station 11 recognizes as a broadcast request from the first portable unit 12."*

and

*"The broadcast command in the T-field causes the remaining plurality of portable units 14, 16 to go a receive only mode and become synchronized to receive signals from the designated slot, in this example slot 4 (step 308). The first portable unit 12 may transmit a plurality of messages with digitized audio information in the J-field 39 (step 312). The base station 11 receives the messages from the first portable unit 12 at slot 13 and sends broadcast messages with the same digitized audio text during slot 4, thus rebroadcasting the audio message (step 316)."*

In this way, the mobile unit 12 is able to broadcast an original message and the other mobile units 14 and 16 are in a receive only mode. Therefore the Applicant believes that claims 6 and 7 are supported by the specification.

In addition, the Applicant believes that rejected claim 8 falls under the auspices of MPEP 2163.1.A Original Claims in that there is "strong presumption that an adequate written description of the claimed invention is present when the application is filed." The Applicant firmly believes that there is adequate written description to support claim 8 based upon the "knowledge and level of skill in the art would permit one skilled in the art to immediately envisage the product claimed from the disclosed process". In particular, the Applicant believes that one skilled in the art would immediately envisage the recited limitation "wherein placing the plurality of mobile units in a receive only mode, comprises turning on only speakers of the plurality of mobile units without turning on microphones of the plurality of mobile units" of claim 8.

Therefore, based upon the above remarks the Applicant requests that the Examiner withdraw the 35 U.S.C. 112 first paragraph rejections of claims 6 – 8.

A number of claims were rejected as being obvious under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,953,656 issued to Bertocci in view of U.S. Patent 5,995,844 issued to Fukuda. The Bertocci reference describes a method and apparatus for remotely accessing a telephone answering device in that a single cordless phone associated with a single base station has the option of answering a message as it is being received and recorded by the base station. The Examiner admits that the Bertocci reference lacks any discussion or teachings of a plurality of portable units in communication with a single base station and attempts to rectify this shortcoming by citing the Fukuda reference. Although the Fukuda reference includes a number of portable units, neither reference taken singly or in any combination teaches or reasonably suggests that only one of the plurality of portable units is designated as the callee to the exclusion of all others of the plurality of portable units.

More specifically, claim 1 recites,

"determining if one of the plurality of mobile units, as a callee, desires to initiate a

conversation with the caller based upon the incoming message; setting the base station to a standard mode when it is determined that one of the plurality of mobile units desires to converse with the caller; and initiating the conversation only between the callee and the caller."

In this way, the invention as recited in claim 1 precludes the possibility that more than one of the plurality of mobile units can be designated as the callee in contrast to the cited references where any number of the plurality of mobile units can be designated as the callee.

Therefore, the Applicant believes that claim 1 and any claims dependent thereof are not rendered obvious by the cited references taken singly or in any combination.

Newly added claims 10 – 19 recited essentially the same limitations as does claims 1 – 9 albeit in the form of computer program product and are therefore, the Applicant believes are also allowable.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

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Respectfully requested,

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